

CLASSIFICATION OFFICE DECISION

Title of publication: 084c4e7bee710d01_0_embedded_1.jpg

Other known title(s): Not stated

OFLC ref: 2000124.001

Medium: Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: New Zealand Defence Force Military Police

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 29 May 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 29 May 2020

Summary of reasons for decision:

The image file explicitly depicts a female engaged in sexual activity with a man and includes a URL advertising a sexually explicit website. Consideration has been given as to whether the subject of the image presents as a young person. The age of the female is ambiguous. While she has a youthful face and is petite, her body shape and genital development present as that of a young adult. While she could be a young person she could equally be a young adult. Further, the URL in the bottom right corner advertises a sexually explicit website specialising in petite young adults. However, the unrestricted availability of the image file is still likely to be injurious to the public good. There is a common social consensus across many countries that explicit sexual material should be limited to adults because of the potential for harm to developing sexual attitudes and behaviours of young people from premature exposure to such material. The image is therefore restricted to adults. This classification interferes with the right to freedom of expression as set out in the New Zealand Bill of Rights Act 1990 but is reasonable and justified in order to prevent injury to the public good.